

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

COMMONWEALTH OF PENNSYLVANIA, STATE
OF CALIFORNIA, STATE OF DELAWARE,
DISTRICT OF COLUMBIA, STATE OF MAINE,
COMMONWEALTH OF MASSACHUSETTS, and
STATE OF NORTH CAROLINA,

Plaintiffs,

v.

LOUIS DEJOY, *in his official capacity as United States
Postmaster General*; ROBERT M. DUNCAN, *in his
official capacity as Chairman of the Postal Service
Board of Governors*; and the UNITED STATES
POSTAL SERVICE,

Defendants.

No. 2:20-cv-4096

[PROPOSED] ORDER

This ___ day of _____, 2020, upon consideration of Plaintiffs' Motion for a Preliminary Injunction, Defendants' Opposition, Plaintiffs' Reply, the evidence and argument presented by the Parties, and applicable law, it is hereby **ORDERED** that Plaintiffs' Motion for a Preliminary Injunction (ECF No. ___) is **GRANTED**.

It is further **ORDERED** that Defendants Louis DeJoy, in his official capacity as United States Postmaster General, Robert M. Duncan, in his official capacity as Chairman of the Postal Service, and the United States Postal Service, and their agents, designees, and subordinates, as well as any person acting in concert or participation with them, are hereby enjoined from:

a) Enforcing or continuing to enforce the operational and policy changes adopted by Defendants in July 2020;

b) Prohibiting overtime, late trips, or extra trips, in a manner inconsistent with the Postal Service's policies and practice prior to the implementation of the operational and policy changes adopted in July 2020;

c) Departing from the Postal Service's longstanding practice of treating Election Mail with the highest priority, and as First-Class Mail regardless of the purchased class of mail; and

d) Failing to take reasonable steps to ensure that every piece of Election Mail receives a postmark the day it is received by the Postal Service.

It is further **ORDERED** that Defendants Louis DeJoy, in his official capacity as United States Postmaster General, Robert M. Duncan, in his official capacity as Chairman of the Postal Service, and the United States Postal Service, and their agents, designees, and subordinates, as well as any person acting in concert or participation with them, must:

a) Inform all Postal Service employees that all mail should be processed, handled, transported, and delivered, in accordance with service and operational standards in place before July 2020; and

b) Deploy processes and procedures that ensure Election Mail is prioritized, and delivered, at a minimum, as if it was First-Class Mail, irrespective of the class of mail actually purchased, and, in the case of completed ballots being returned to an election official, irrespective of whether it bears adequate postage, consistent with the Postal Services' past practices.

Gerald Austin McHugh
United States District Judge